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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Application Number

10/716,609

Filing Date

November 20, 2003

First Named Inventor

Balakrishnan SRIDHAR et al.

Art Unit

3663

Examiner Name

Ari M. Diacou

Attorney Docket Number

10.0605

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply (13 pages)

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) _____

☐ Landscape Table on CD☐

After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):

Remarks

Return Receipt Postcard
Express Mail Certificate**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

DOUGHERTY CLEMENTS

Signature

Printed name

Christopher L. Bernard

Date

September 13, 2006

Reg. No.

48,234

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Signature

Barbara C. Brown

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Barbara C. Brown

Date

September 13, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Express Mail No.: - EV 907434125 US

Date of Deposit: - September 13, 2006

Type of Document(s): - Transmittal Form (PTO/SB/21)
- Amendment and Response to Non-Final Office Action
(13 pages)
- Postcard Receipt

Application No.: - 10/716,609

Filed: - November 20, 2003

Applicant(s): - Balakrishnan SRIDHAR et al.

Title: - METHOD AND APPARATUS FOR OPTICAL
AMPLIFYING DEVICE GAIN CONTROL
WITH GAIN THRESHOLD

Examiner: - Ari M. Diacou

Art Unit: - 3663

Attorney Docket No.: - 10.0605

I hereby certify that the above-referenced documents are being/have been deposited with the United States Postal Service "Express Mail Post Office to Addressee" in accordance with 37 CFR 1.10 on the above-referenced date and are being/have been addressed to: **Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 USA.**

Barbara C. Brown

Barbara C. Brown
North Carolina State Bar/Certified Paralegal

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s))	Balakrishnan SRIDHAR et al.
Application No.)	10/716,609
Filing Date)	November 20, 2003
Title)	METHOD AND APPARATUS FOR OPTICAL AMPLIFYING DEVICE GAIN CONTROL WITH GAIN THRESHOLD
Examiner)	Ari M. Diacou
Art Unit)	3663

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450 USA

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Dear Sir/Madam:

In response to the non-final Office Action mailed June 14, 2006, rejecting Claims 15-31 of the above-referenced Application, in which Claims 15-31 are pending (Claims 1-14 having been previously withdrawn in response to an election/restriction requirement), Applicants respectfully request that the following amendments be entered and remarks be considered, without prejudice or disclaimer to continued examination on the merits. In view of these amendments and remarks, Applicants submit that the Application is now in condition for allowance and respectfully request such action.